

## REMARKS

Please consider this paper as a Request for Continued Examination. Please charge any required fees to have this Request for Continued Examination and Amendment entered to our deposit account No. 500687.

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1 and 3-10 are pending in the application.

Basis for the amendment to claim 1 can be found in the originally filed application, including at page 7, lines 18-22 and page 8, lines 25-30. No new matter has been added.

The rejection of claims 1-10 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 6,418,417 (Corby) in view of U.S. Patent No. 5,848,378 (Shelton) in further view of U.S. Patent Publication No. 2003/0195441 (Ginsberg) is respectfully traversed. The claimed invention is not obvious over the theoretical combination of references for the reasons of record and for the following reasons.

Claim 1 has been amended to include relating the weather data item to a predetermined set of alternative. Support for this amendment can be found on page 8, lines 25-30 of the originally filed application. Furthermore, claim 1 has been amended to include selecting which weather data item to receive depending on weather type reference system. Support for this amendment may be found on page 7, lines 18-22 of the originally filed application.

It is respectfully submitted that the term weather parameter indication arrangement is clear. This arrangement is exemplified in detail on page 8, lines 1-5 as well as in the table on page 9 of the originally filed application. For example, it may be any type of device that generates a data item related to a weather parameter.

The term weather game type reference system identifies a particular weather configuration with weather parameters within pre-determined ranges or settings. This is illustrated in several example embodiments on pages 10-12 of the originally filed application. These type reference systems are used to compare measurements from the weather parameter indication arrangement and classify these measurements according to the reference. The game type reference thus provides

both a look up table as well as defining the game.

Claim 1 differs from the combination of cited references in that it discloses a device for automatically generating a game result, weather data are used for generating a game result from a reference system, and a predetermined set of alternatives are used to classify weather data items. No combination of cited references teaches or even suggest the combination of these features.

Furthermore, the combination of references does not disclose or even mention anything in the direction of using a weather game type reference system.

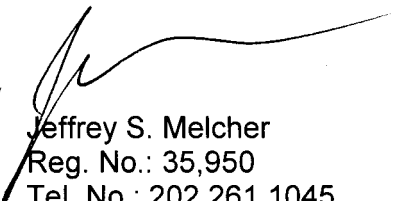
The claimed invention solves a technical problem of generating a game result automatically, quickly, and in an objective manner that is non-disputable. It is a problem in this field to define a weather condition in a way that is acceptable by users in a way that it may be performed for a large number of users, weather type reference systems, and a large number of times at high speed at several locations. This may only be performed in an automatic solution as defined in the present invention.

In view of many differences between the claimed invention and the theoretical combination of references, and the unexpected advantages of the claimed invention, withdrawal of the Section 103 rejection is respectfully requested.

In view of all of the rejections of record having been addressed, Applicant submits that the application is in condition for allowance and Notice to that effect is respectfully requested.

Respectfully submitted,  
Manelli Denison & Selter, PLLC

By

  
Jeffrey S. Melcher  
Reg. No.: 35,950  
Tel. No.: 202.261.1045  
Fax. No.: 202.887.0336

Customer 20736  
2000 M Street, N.W. , 7<sup>th</sup> Floor  
Washington, D.C. 20036-3307